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Attorneys for Defendant  
KELLY-MOORE PAINT COMPANY, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAMES SANFORD,

Plaintiff,

vs.

KELLY-MOORE PAINT COMPANY,  
INC.; ALEXANDER FAHN and  
SHIRLEY FAHN, Trustees of the  
ALEXANDER AND SHIRLEY FAHN  
REVOCABLE TRUST; and DOES 1  
through 10,

Defendants.

Case No. CIV.S-041033 FCD CMK

**STIPULATION AND ORDER  
EXTENDING EXPERT WITNESS  
DISCLOSURE DATE, SUPPORTING  
DECLARATION OF GOOD CAUSE BY  
GARY R. JOHNSON, AND ORDER  
APPROVING STIPULATION**

**I.**

**INTRODUCTION**

This Court is requested to accept this Stipulation and approve counsel's agreement to extend the previously ordered expert witness disclosure date of July 6, 2005 to August 1, 2005.

Good cause exists for this brief extension in that the KELLY MOORE PAINT STORE premises which is the subject of this litigation is closing operations and moving July 15, 2005 to another location.

Once KELLY MOORE vacates its current store location, that location will no longer constitute a place of public accommodation and the Federal District Court will lose jurisdiction to grant the injunctive relief sought.

STIPULATION AND PROPOSED ORDER  
EXTENDING EXPERT WITNESS DISCLOSURE  
DATE, DECLARATION OF GARY R. JOHNSON

It is anticipated that upon closure of the KELLY MOORE store, the parties will likely commence settlement discussions.

**II.**

**STIPULATION**

IT IS HEREBY STIPULATED AND AGREED by and between Lynn Hubbard III, on behalf of Plaintiff JAMES SANFORD, and Gary R. Johnson on behalf of Defendant KELLY MOORE PAINT COMPANY, INC., and Jenny Rim on behalf of Defendants ALEXANDER FAHN and SHIRLEY FAHN, Trustees of the ALEXANDER AND SHIRLEY FAHN REVOCABLE TRUST, that the expert witness disclosure date heretofore set for July 6, 2005 is extended to August 1, 2005.

Dated: Law Offices of Lynn Hubbard

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LYNN HUBBARD, ESQ.  
Attorney for Plaintiff JAMES SANFORD

Dated: Randolph, Cregger & Chalfant

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JENNY RIM, ESQ.  
Attorney for Defendants FAHN

Dated: June 30, 2005 McNamara, Dodge, Ney, Beatty, Slattery,  
Pfalzer & Borges LLP

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Ann H. Larson  
Gary R. Johnson  
Attorneys for Defendant  
KELLY-MOORE PAINT COMPANY, INC.

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1 Having read and considered the foregoing Stipulation and good cause appearing therefore,  
2 approval to the Stipulation extending the date for disclosure of expert witnesses is approved.

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4 Dated: July 12, 2005

/s/ Frank C. Damrell Jr.  
FRANK C. DAMRELL, JR.  
United States District Court

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